

**BY ORDER OF THE COMMANDER
UNITED STATES AIR FORCES IN EUROPE**



**USAFE INSTRUCTION 51-709/
AE REGULATION 550-34/COMUSNAVEUR
INSTRUCTION 5840-12E**

18 NOVEMBER 2003

Law

***REGULATIONS ON PERSONAL PROPERTY,
LOCAL CURRENCY, AND MOTOR VEHICLES
FOR US PERSONNEL IN NORWAY***

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This instruction implements AFD 51-7, *International Law*. This instruction establishes guidelines and prohibitions concerning the acquisition and disposition of duty-free personal property, the acquisition and possession of tobacco and alcoholic beverages and the import and export of currency. It outlines requirements concerning the importation and registration of privately owned weapons and the importation, registration, and inspection of privately owned vehicles (POV) and licensing of drivers. The instruction provides a basis for punitive action under the Uniform Code of Military Justice (UCMJ) for military personnel or a basis for administrative sanctions for military and civilian personnel including but not limited to possible restrictions on or revocation of privileges. This instruction applies to United States Air Force, Army, Navy, and Marine Corps units and civilian personnel and their dependents in Norway except those assigned or attached to diplomatic and consular offices and Security Assistance Organizations (SAO), who are governed by appropriate embassy directives. This instruction also applies to National Guard units and, or members in Title 10 status. Certain provisions of this instruction are punitive. Violations of the specific prohibitions in paragraphs and related paragraphs **2.1.**, **4.1.**, **4.2.**, **5.1.**, **6.1.**, and **6.2.** of this instruction by military personnel may result in prosecution under Article 92(1) and, or Article 134 of the Uniform Code of Military Justice (UCMJ). Civilian personnel are subject to disciplinary action (including loss of logistic support privileges) for violations of these paragraphs according to applicable service instructions on civilian misconduct and adverse administrative actions. Civilians may also be subject to criminal prosecution by the host nation for violation of host nation laws. Maintain and dispose of records created as a result of prescribed processes in accordance with AFMAN 37-139, *Records Disposition Schedule*.

SUMMARY OF REVISIONS

US adds authority for postal imports over 1,500 NOK through the US Element; adds reference to the Value Added Tax reimbursement program;; deletes reference to temporary driver's permits pending license renewal.

1. Responsibilities:

1.1. **US Country Representative (USCR).** The senior US military officer, Joint Headquarters North (JHQ NORTH), is the USCR, Norway, and is responsible for ensuring implementation of and compliance with this instruction, conducting an annual review of the instruction, drafting changes to the instruction as needed and coordinating proposed changes with the US Defense Representative. The USCR, Norway, is authorized to issue supplementary instructions when considered necessary or desirable to disseminate more detailed guidance or to impose additional restrictions.

1.2. **Covered Personnel.** Violations of the restrictions set out in this instruction may subject offenders to disciplinary action and, or loss of privileges.

1.3. **Supplements.** US military commanders are authorized to issue supplementary instructions to this instruction when considered necessary or desirable to disseminate more detailed guidance or to impose additional restrictions. No supplement may be issued which will relax restrictions or procedures set out in this instruction. Proposed supplements are to be coordinated with the USCR, Norway, before implementation. Supplement this instruction according to AFI 33-360 Volume 1, *Publications Management Program*.

1.4. **Other Directives.** Nothing in this instruction is intended to conflict with or relax policies and procedures established in other directives that are applicable to respective members of the individual armed services.

2. Acquisition and Disposal Of Personal Property and Customs Control:

2.1. **General.** All personnel are subject to Norwegian customs restrictions.

2.1.1. **Import of Household Goods.** Permanently assigned personnel may import into Norway two shipments of household goods during their tour of duty for the duration of that tour; the first shipment must be within the first four months of arrival. These imports are considered temporarily duty and tax-free imports. All such items must be for the personal use of the assigned personnel or their dependents.

2.1.2. **Other Goods.** Other than goods obtained through recognized military sales channels, all goods imported into the country by US personnel on an individual basis are subject to Norwegian import directives and duties and must be cleared through Norwegian customs with the following exceptions: First, the US Element at JHQ NORTH may import goods duty-free by parcel post using the US military postal system on behalf of the individual entitled members of the JHQ for their own and their dependents' use, provided the value of each importation does not exceed 1,500 Norwegian Kroner (NOK). Norwegian authorities may exercise customs controls and impose duties on personal parcels received through the military postal system (APO) if the value exceeds 1,500 NOK. Second, the US Element may import parcels over 1,500 NOK for entitled members

using proper North Atlantic Treaty Organization (NATO) customs forms and JHQ North procedures. Personnel will comply with applicable US and Norwegian laws pertaining to customs controls and duties on personal property received through the APO in Norway. The APO in Norway will not accept cash on delivery (COD) parcels.

2.1.3. In Country Purchases. Authorized US personnel may purchase duty and tax free goods through recognized military sales channels (US, NATO, Norwegian military exchanges, commissaries, or ship's store) within Norway during their tour of duty. Authorized US personnel may be reimbursed for Value Added Tax paid on certain in-country purchases. JHQ NORTH and the US Element administer this tax relief program. For motor vehicles, see paragraph 6. of this instruction.

2.1.4. Export. Duty and tax free items imported or acquired during a tour of duty by authorized personnel must be exported from Norway upon departure from Norway or upon completion of the tour of duty, transferred to another individual authorized the same duty and tax free privilege, or disposed of according to paragraph 2.1.5.

2.1.5. Disposal. Duty and tax free items imported or acquired during a tour of duty by authorized personnel and their dependents, regardless of the method or place of acquisition of such property or the length of time the property has been in the possession of the authorized person, will not be sold, traded, conveyed, or otherwise transferred to persons in Norway not entitled to the same duty and tax free privilege except as permitted by US and Norwegian authorities. Duty and tax free items include items for which tax relief was obtained subsequent to the point of sale. Duty and tax free property shall not be disposed of to nonentitled persons by sale, barter, gift, conveyance or any other manner of transfer until Norwegian duties and taxes have been paid. Valuation at the time of disposal shall be determined by Norwegian customs valuation instructions. In disposing of any personal property, regardless of origin, personnel are prohibited from advertising before the general public or advertising in any manner that could be considered sensational. JHQ NORTH and local US service commanders may establish further specific guidelines for appropriate advertising.

2.1.6. Aiding. No person authorized to import or purchase goods duty and tax free may aid or abet any other person in obtaining and/or transferring duty and tax free goods in contravention of this instruction.

3. Currency:

3.1. US and Norwegian Currency. United States currency is used in US forces facilities. US currency may also be used on the Norwegian economy; however, it is normally economically advantageous to exchange US currency for Norwegian currency at the US disbursing offices or facilities and use the Norwegian currency on the local economy.

3.1.1. Import. Personnel may bring with them into Norway unlimited Norwegian kroner and unlimited foreign currency. Personnel carrying amounts exceeding 25,000 NOK are required to inform Norwegian Customs authorities.

3.1.2. Export. Generally, no restrictions apply to the export of foreign currency. Authorized personnel may carry up to and including 25,000 NOK out of Norway without restrictions; amounts exceeding 25,000 NOK require permission from the Norwegian State Bank.

4. Weapons:

- 4.1. **Privately Owned Firearms.** Norwegian law requires permission be obtained from the Norwegian police in order to import privately owned firearms into Norway. In general, sporting guns are allowed although some types of shotguns are prohibited. If import permission is not obtained prior to arrival in country, the firearms will be confiscated on entry into Norway. Importation of privately owned ammunition is prohibited.
- 4.2. **Martial Arts Weapons.** The importation into Norway of all martial arts weapons is prohibited.
- 4.3. **Further Controls.** Commanders may prescribe further controls as required for firearms, ammunition, and other dangerous weapons.

5. Rationed Items:

5.1. **Tobacco and Alcoholic Items, General.** The Norwegian Government controls the importation, acquisition and sale of duty and tax free alcoholic beverages (except beer) and duty and tax free tobacco products on an individual rationed basis. In addition, US military directives may establish other controls. Personnel will comply with US military directives and Norwegian laws pertaining to the importation, acquisition and disposal of duty and tax free alcoholic beverages and tobacco products in Norway. Additionally, the rules in paragraph 2.1.5. apply to the disposal of duty and tax-free alcoholic beverages and tobacco products in Norway.

5.1.1. **Amounts.** The following amounts may be purchased duty and tax free through recognized military sales channels: ten liters of wine and six bottles of distilled spirits, liqueurs or fortified wines per month per entitled member; one thousand cigarettes (or equivalent allocation for other tobacco products) per entitled member and each dependent over the age of 16, per month, averaged for the duration of the authorized member's tour.

6. Importation, Operation, and Control of Privately Owned Motor Vehicles (POV):

6.1. **Importation, Acquisition, Transfer and Disposal of POVs.** Personnel assigned to NATO duty in Norway shall not acquire, import, transfer or in any other way dispose of a POV except as follows:

6.1.1. US personnel entitled to motor vehicles free of duties and taxes under Article 14-2 of the Supplementary Agreement may acquire such vehicles by importation or purchase from another entitled person or purchase on the Norwegian domestic market.

6.1.2. Entitled personnel may own at any one time one duty free vehicle if unaccompanied or, if accompanied by dependents, two duty free vehicles. Vehicles must be registered to the entitled personnel.

6.1.3. Duty and tax free vehicles may be replaced by any of the methods in paragraph 6.1.1. free of duties and taxes, as desired by the individual owner, so long as the vehicle being replaced has been:

6.1.3.1. Re-exported.

6.1.3.2. Sold to another person with like entitlement to a tax-free vehicle.

6.1.3.3. Sold with Norwegian taxes and duties paid.

6.1.3.4. Certified by the Norwegian customs, police authorities, or an authorized scrapping

firm that it has been destroyed or stolen. No taxes or levies for remaining value shall be charged.

6.1.4. **Taxes.** When a motor vehicle is sold (or 'traded in' on the purchase of another car) on the Norwegian domestic market under paragraph 6.1.3.3., taxes and duties shall be based on Norwegian regulations; payment of assessed taxes and duties is the responsibility of the seller.

6.1.5. **Sham Transactions.** No person shall buy a motor vehicle unless the purpose of the transaction is for the personal use of the motor vehicle by the entitled person or his entitled dependents. Sham transactions, which result in the nonpayment of taxes otherwise owed to the Norwegian government, are strictly forbidden. Personnel may not sell or dispose of a motor vehicle unless all applicable Norwegian taxes and duties are paid and the Norwegian Motor Vehicle Registration Office is notified.

6.1.6. **Limited Use.** A US forces owner of a tax-free vehicle is required to restrict the use of that vehicle to his or her immediate family. Members must request and receive written authorization from the US Support Element to permit the use of a tax free vehicle by visiting relatives or other entitled members of the force.

6.2. **Operation and Control of POVs.** US service commanders will ensure that all personnel are aware of applicable Norwegian laws and US military directives pertaining to the registration and operation of motor vehicles. Personnel will comply with Norwegian laws while operating POVs in Norway. Norway operates under the International Road Sign system that is generally used throughout Western Europe.

6.2.1. **Driving while Intoxicated.** Norwegian law prohibits any person from operating or attempting to operate a motor vehicle while under the influence of alcohol or any other intoxicating or narcotic agent. A blood-alcohol level of greater than 0.02 gram of alcohol per 100 milliliters of blood creates a presumption of intoxication. In general, persons convicted by a Norwegian court for driving or attempting to drive while intoxicated will normally lose their privilege to drive in Norway and will be subject to heavy monetary fines. In more serious cases, the individual may be subject to imprisonment.

6.2.2. **Six Hour No Consumption Law:** It is illegal for any person to consume alcohol or any other intoxicating or narcotic agent during the first six hours after having been involved in an incident while driving a motor vehicle which incident the driver realized, or should have realized, would be subject to police investigation. This offense carries the same penalty as driving or attempting to drive while intoxicated.

6.2.3. **Insurance.** Third party (public liability and property damage) insurance is compulsory under Norwegian law. A vehicle imported duty-free under the applicable NATO Status of Forces Agreement (SOFA), or purchased by a member or dependent, must be insured by, or through, an insurance company licensed to operate in Norway, before it can be registered and licensed.

6.2.4. **Operator's License.** US personnel assigned to units in support of NATO in Norway and their dependents are authorized to operate a POV with a valid operator's license issued by any state of the United States of America, a valid Norwegian operator's license, or a valid international driver's license. Dependents who attain driving age (18 years old) while in Norway, or who otherwise do not possess a valid driving license or permit from their sending State, may obtain a Norwegian driving license after complying with the appropriate Norwegian regulations.

6.2.5. **Registration.** Vehicles privately owned by US personnel and their dependents must be inspected and registered with the Norwegian Motor Vehicle Registration Office prior to licensure. Personnel are to notify the Norwegian Vehicle Registration Office within 3 days after any change of location, ownership or re-export of the duty and tax free vehicle. The vehicle registration card is to be in the vehicle at all times.

6.2.6. **Markings.** The display of any type of service insignia, emblems, stickers, or plates on a POV is prohibited unless required or permitted by Norwegian law.

JAMES R. WISE, Colonel, USAF
Staff Judge Advocate

Attachment 1**GLOSSARY OF REFERENCES AND ACRONYMS*****References***

Agreement between the Parties to the North Atlantic Treaty Regarding the Status of Their Forces, signed 19 June 1951 (NATO Status of Forces Agreement). (4 UST 1792; 199 UNTS 64) (BGBI 1961, II, 1138, 1190) *Protocol on the Status of International Military Headquarters Set Up Pursuant to the North Atlantic Treaty (Paris Protocol)*, signed 28 August 1952. Date of entry into forces with respect to the United States of America: 10 April 1954. (5 UST; TIAS 2978; 200 UNTS 340)

Supplementary Agreement Between the Kingdom of Norway and the Supreme Headquarters Allied Powers Europe on the Special Conditions Applicable to the Establishment and Operation on Norwegian Territory of International Military Headquarters, 10 January 1996

Exchange of Letters Implementing the Supplementary Agreement Between the Kingdom of Norway and the Supreme Headquarters Allied Powers Europe, 10 January 1996

USEUCOM Directive 45-7, *Country Regulations*, 17 December 1997; applicable Norwegian law; and existing US and NATO military directives

Abbreviations and Acronyms

DUI—Driving Under the Influence

JHQ NORTH—Joint Headquarters North

NATO—North Atlantic Treaty Organization

NATO SOFA—North Atlantic Treaty Organization Status of Forces Agreement

NOK—Norwegian Kroner

POV—Privately owned vehicle

SAO—Security Assistance Organization

UCMJ—Uniform Code of Military Justice

USCR—United States Country Representative

USEUCOM—United States European Command